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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Patent Application of James Douglas McDonald & Allen LeRoy Limberg

Serial No. 09/823,500

Examiner: TSE, Young Toe

Filed: March 30, 2001

Art Unit: 2631

For: DIGITAL MODULATION SIGNAL RECEIVER WITH ADAPTIVE CHANNEL  
EQUALIZATION EMPLOYING DISCRETE FOURIER TRANSFORMS

**REQUEST FOR REFUND OF ISSUE FEE OVERPAYMENT**

The Honorable Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reviewing my November statement for my credit card, I find a \$1400 charge to the USPTO posted on October 12. Yesterday or the day before I telephoned (571)-272-4200 where an employee of the USPTO appeared to confirm that this charge was for the issue fee in the above-identified application.

My co-inventor and I are individual inventors with small-entity status, and claim of such status was made at the time the application was filed. The Notice Of Allowance and Fee(s) Due mistakenly asserted that we had large entity status, and box 5a was checked to indicate applicant had small entity status. It is my recollection that the Form 2038 only authorized \$700 charge to my credit card for the issue fee. If Form 2038 authorized a \$1400 charge, this was a mistake on my part. The correct issue fee was only \$700.

**ACCORDINGLY, PLEASE REMIT \$700 OVERPAYMENT OF ISSUE FEE  
TO MY CREDIT CARD ACCOUNT.** Or, remit overpayment to me at 1053  
Kensington Street, Port Charlotte, FL 33952-1523.

Respectfully submitted,

Allen LeRoy Limberg TELEPHONE 86602007 89623500  
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(941)-624-4302

700.00 OP

November 17, 2005

**BEST AVAILABLE COPY**